

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

BRANDON HAMMAN,

Plaintiff,

v.

The CITY OF CARBONDALE, an Illinois
municipal corporation, JOHN LENZINI,
in his individual and official capacities,
and LENOARD JAMIE SNYDER, in his
individual and official capacities,

Defendants.

Case No. 3:25-cv-00736-NJR

Chief Judge Nancy J. Rosenstengel

**PLAINTIFF'S CONSENTED MOTION TO WITHDRAW MOTION
FOR SUMMARY JUDGMENT**

Plaintiff, Brandon Hamman, by and through undersigned counsel, respectfully moves this Court to withdraw his Motion for Summary Judgment (Doc. 27). In support of said Motion, Plaintiff states as follows:

1. Defendant City of Carbondale filed a Motion for Summary Judgment instead of a responsive pleading. (Doc. 26).
2. As a result of the failure of Defendant City of Carbondale to Answer the Complaint, the Plaintiff moved for summary judgment (Doc. 27), which motion was rendered moot by the Court's granting of Defendant City's Motion for Leave to File its Answer. (Doc. 29).

3. Subsequent to the filing of Plaintiff's motion, the City of Carbondale sought to correct the "inadvertence on the part of Defendants' counsel" and moved for leave to file an Answer *Instante*. (Doc. 28 at 3).

4. The Court granted the City's Motion, and an Answer has now been filed (Doc. 33).

5. Because the facts alleged in the Complaint are no longer deemed admitted by the City, Plaintiff's Motion for Summary Judgment has been rendered moot.

6. The City has conceded that Plaintiff retains the right to file a future Motion for Summary Judgment at the appropriate time.

7. For the foregoing reasons, Plaintiff now seeks leave of this Court to withdraw his Motion for Summary Judgment.

8. Defendants have consented to this motion.

Submitted: July 30, 2025

Respectfully submitted,

s/ Kelsey E. McGee

Kelsey E. McGee

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of July 2025, a true and correct copy of the above and foregoing document was filed electronically with the Clerk of the Court and was served upon all counsel of record via PACER.

/s/ Kelsey E. McGee

Kelsey E. McGee

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